



Oregon

Tina Kotek, Governor

Department of Transportation
Statewide Investments Section
355 Capitol ST NE, MS 21
Salem, Oregon, 97301-4178

To: Brian Worley, Association of Counties
Jim McCauley, League of Oregon Cities

From: Jeff Flowers
Statewide Investments Section Manager

RE: Fund Exchange Program Changes

Background:

Over the past few years, the Oregon Department of Transportation (ODOT) has been working with the Association of Counties (AOC) and the League of Oregon Cities (LOC) to revise the Fund Exchange program to address the declining state highway funds and its impact on the program.

The 2023 Oregon legislature authorized HB2101. This new bill provides more stability to the Fund Exchange program by allocating \$35 million of HB 2017 dollars each year to eligible cities and counties.

New Process

Start Date of New Process:

HB 2101 (\$35 million) will be made available starting in 2023. There is no exchange rate applied to these funds. The new 2023 allocations are part of this memo and will be posted online.

Eligibility of Funds:

All funding must be used in accordance with Article IX, section 3a, of the Oregon Constitution. No other restrictions apply.

Allocation Process/Timeline:

ODOT, AOC and LOC will determine the funding allocation process and calculation method to be used and will document its decision in an agreement. Annual allocations amounts will be published in January of each calendar year by ODOT.

Payments to local agencies will be issued in January of each calendar year. There will no longer be a requirement for each local agency to enter into FEX master grant agreements or submit a funding request letter in order to receive their allocations.



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2023 Reconciliation:

Some local agencies have already exchanged their 2023 allocations. ODOT will be working to reconcile the amount already exchange versus the amount an agency should have received based on the \$35 million allocation.

If an agency is owed money, ODOT will send payment to the agency by September 30, 2023. If the amount received from the 2023 allocation is greater than what should have been received for 2023, then ODOT will deduct the differential from the 2024 allocations. ODOT will not be requesting any repayments for 2023.

Contingency funding if \$35M of HB 2017 is Unavailable:

In the event that \$35 million is not available to be distributed in accordance with HB 2101, ODOT will make-up the difference between the available state funding with federal surface transportation funding on a dollar for dollar basis. If federal funding is allocated to local agencies, ODOT and the local agencies must enter into project agreements prior to distribution.

Old Allocations/Prior Balances (2022 and prior):

All 2022 and prior allocations must be exchanged by December 31, 2024. Allocations will be exchanged following the rate established for that year. Any balance not exchanged by December 31, 2024 will no longer be eligible to be exchanged for state funds or considered part of a local agencies or MPO's allocation.

Any program questions can be directed to Hope Derrickson at ODOT. Her contact information is as follows hope.derrickson@odot.oregon.gov.